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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Neville *et al.*

Serial No. 09/389,565

Filed: September 3, 1999

For: "AN IMMUNOTOXIN WITH IN VIVO
T CELL SUPPRESSANT ACTIVITY
AND METHODS OF USE"

Examiner: G. R. Ewoldt, Ph.D

Art Unit: 1644

AMENDMENT

BOX RCE
Commissioner for Patents
Washington, D.C. 20231

RECEIVED

FEB 21 2003

TECH CENTER 1600/2900

NEEDLE & ROSENBERG, P.C.
Suite 1200, The Candler Building
127 Peachtree Street, N.E.
Atlanta, Georgia 30303-1811
February 14, 2003

Sir:

This Amendment under 37 C.F.R. § 1.114 is responsive to the Advisory Action dated June 13, 2002. Enclosed with this Amendment is the Declaration of David M. Neville, Jr. under 37 C.F.R. § 1.132. Also filed concurrently is a Request for Continued Examination, a Request for an extension of time, and a Credit Card Payment Form (PTO-2038) in the amount of \$2720.00, (\$750.00 for the Request for Continued Examination and \$1970.00 for the 5-month extension of time). Applicants request consideration of this amendment and the accompanying remarks prior to an Office Action on the merits.

IN THE CLAIMS

Please amend the claims as follows:

- E1
30. (Twice amended) A fusion immunotoxin comprising a single-chain variable region of an anti-CD3 antibody linked to a toxin moiety, wherein the anti-CD3